

10 June 1954

MEMORANDUM FOR: Chief of Logistics

SUBJECT : Use of Agency Vehicles for the Transportation of  
Certain [ ] Personnel

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25X1A7B 1. You have requested our opinion regarding the legality of furnishing government transportation for Agency employees from the central pick-up point to [ ] installations and return.

2. We understand that the technical requirements for operating these installations is such that they must of necessity be situated in areas more or less remote from established communities; that since their hours of operation are governed by the broadcast hours of foreign radio transmitters, the greatest activity is usually before or after the normal working day -- especially between the hours of 2200-0100 and 0600-0800, with the result that the staff must be detailed to work on shifts over most of a 24 hour period to meet monitoring requirements.

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3. We have been advised that the [ ] is located at [ ], some twelve miles southeast of Washington, D.C., and two miles from [ ] the nearest community served by public transportation; that this public transportation consists of a bus service, departing Washington at 0815, 1430, 1750 and [ ] at 0740, 1020 and 1705; and that the round-trip fare is 83 cents. We also understand that a similar situation pertains as regards the [ ] Bureau located twelve miles from [ ] California, in that the only public transportation is one daily trip provided by bus between [ ] which is still some four miles from the installation.

4. While it is well settled that government vehicles may not be used to provide transportation for employees between their residences and places of employment, we believe that the situation presented requires that consideration be given not only to the prohibition contained in 5 U.S.C. 78 (c) but also to the powers conferred by the Central Intelligence Agency Act of 1949.

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of the National Security Act.

6. Having regard for the broad authorities conferred upon the Agency by Section 10(a) of the CIA Act of 1949 to expend funds necessary to carry out its functions, notwithstanding any other provision of law, it is our opinion that if it be administratively determined that the schedules or routes used by public transportation facilities are not such as will permit these [ ] installations to be adequately staffed and operated, the use of government vehicles for the purpose suggested would be legally permissible. To the effect that statutes of similar import permit activities not otherwise authorized see Comp. Gen. Decisions [ ] (both unpublished).

[ ]

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[ ]  
Office of General Counsel

OGC:RJB:jk

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